

IN THE UNITED STATES BANKRUPTCY COURT
EASTERN DISTRICT OF TEXAS
BEAUMONT DIVISION

IN RE:	§	
	§	
ALLIANCE MASONRY, INC.	§	CASE NO. 24-10310
	§	CHAPTER 7
DEBTOR	§	

MOTION TO SELL PERSONAL PROPERTY PURSUANT TO
11 U.S.C. §363(f) FREE AND CLEAR OF LIENS AND ENCUMBRANCES
(2011 Ford F250)

Your rights may be affected by the relief sought in this pleading. You should read this pleading carefully and discuss it with your attorney, if you have one in this bankruptcy case. If you oppose the relief sought by this pleading, you must file a written objection, explaining the factual and/or legal basis for opposing the relief.

No hearing will be conducted on this Motion/Objection/Application unless a written objection is filed with the Clerk of the United States Bankruptcy Court and served upon the party filing this pleading WITHIN TWENTY-ONE (21) DAYS FROM THE DATE OF SERVICE shown in the certificate of service unless the Court shortens or extends the time for filing such objection. If no objection is timely served and filed, this pleading shall be deemed to be unopposed, and the Court may enter an order granting the relief sought. If an objection is filed and served in a timely manner, the Court will thereafter set a hearing with appropriate notice. If you fail to appear at the hearing, your objection may be stricken. The Court reserves the right to set a hearing on any matter.

TO THE HONORABLE UNITED STATES BANKRUPTCY JUDGE PRESIDING:

COMES NOW, Stephen J. Zayler the duly appointed and acting Chapter 7 Trustee in the above-entitled and numbered bankruptcy proceeding pursuant to 11 U.S.C. §363(f) showing the Court as follows:

1. The Debtor filed a Chapter 7 proceeding on July 22, 2024, and Stephen J. Zayler was appointed to serve as the Chapter 7 Trustee.
2. The Debtor owns as part of its bankruptcy estate a 2011 Ford F250, VIN: 1FT7W2BT6BEC15114.

3. The Trustee has received an offer from John Smart, 2628 Whitetail Forest Rd, Kountze Texas 77625 to purchase the 2011 Ford Truck for Four Thousand and no/100 Dollars (\$4,000.00).

4. The Trustee desires to accept the offer and sell the vehicle described as 2011 Ford Truck VIN: 1FT7W2BT6BEC15114 to John Smart, 2628 Whitetail Forest Rd, Kountze Texas 77625 for the agreed consideration, in accordance with *11 U.S.C. Section 363(f)(2)(3) and (5)*, free and clear of all liens and encumbrances; provided that if liens in appropriate priority should arise, that those liens shall be paid from the proceeds of sale upon the proper application or applications. No liens or encumbrances are known to the Trustee.

5. This is a sale “as is, where is”, without warranty for the described property. WHEREFORE, PREMISES CONSIDERED, the Trustee requests this Court to enter an Order approving the sale of the 2011 Ford Truck, as described above for the total sum of \$4,000.00 to JOHN SMART in accordance with the provisions of this Motion; and for such other and further relief as is just.

Respectfully submitted,

/s/ Stephen J. Zayler
STEPHEN J. ZAYLER
Chapter 7 Trustee
State Bar No. 22251800
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Lufkin, TX 75915-0743
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CERTIFICATE OF SERVICE

The undersigned hereby certifies that on the 13th day of November, 2024, a true and correct copy of the foregoing document was served on the attached matrix by electronic means or by depositing the same in the U.S. Mail.

/s/ Stephen J. Zayler
Stephen J. Zayler